

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	
FM Table of Allotments,	)	MB Docket No. 04-317
FM Broadcast Stations.	)	RM-11004
(Center, Texas, and Logansport, Louisiana) <sup>1</sup>	)	RM-11118
	)	

**REPORT AND ORDER  
(Proceeding Terminated)**

**Adopted: April 25, 2005**

**Released: April 27, 2005**

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it for consideration a *Notice of Proposed Rulemaking* (“*Notice*”)<sup>2</sup> issued in response to two petitions for rule making filed by Team Broadcasting Company, Inc. (“Team Broadcasting”) and Charles Crawford (“Crawford”) proposing the allotment of Channel 248A at Center, Texas, as the community’s second local FM transmission service (RM-11004). In response to the *Notice*, a counterproposal was filed by Logansport Broadcasting (“LB”) proposing the allotment of Channel 248A at Logansport, Louisiana (RM-11118).<sup>3</sup> Team Broadcasting, Crawford, and Noalmark Broadcasting Corporation (“Noalmark”) filed comments in support of the Center proposal stating their intention to apply for the channel, if allotted. Reply comments were filed by Crawford and LB. After the record closed, Team Broadcasting, Crawford, Noalmark and LB filed requests to withdraw their expressions of interest. On April 11, 2005, LB filed a “Request to Dismiss Request for Approval of Withdrawal.” Upon further reflection, LB filed on April 15, 2005, another “Request for Approval of Withdrawal” of its counterproposal. The parties state that Cumulus Licensing LLC (“Cumulus”) has agreed to reimburse Team Broadcasting, Noalmark, Crawford, and LB for their legitimate and prudent expenses in exchange for the withdrawal of their expressions of interest.<sup>4</sup>

2. A showing of continuing interest is required before a channel will be allotted. It is the Commission’s policy to refrain from making an allotment to a community absent an expression of interest. Therefore, we will grant the requests to dismiss the Center, Texas and Logansport, Louisiana petitions.

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<sup>1</sup> The community of Logansport, Louisiana, has been added to the caption.

<sup>2</sup> *Center, Texas*, 19 FCC Rcd 15384 (MB 2004).

<sup>3</sup> The counterproposal was put on Public Notice on November 24, 2004, Report No. 2683 (RM-11118).

<sup>4</sup> Pursuant to Section 1.420(j) of the Commission’s Rules, Team Broadcasting, Noalmark, Crawford and LB have provided the required affidavits stating that neither Cumulus nor its principals have paid or will pay any money or other consideration in excess of the legitimate and prudent expenses. In addition, all parties have provided the required itemizations of expenses incurred.

3. This document is not subject to the Congressional Review Act. The Commission, is, therefore, not required to submit a copy of this *Report and Order* to GAO, pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A) because the proposed rule was dismissed.

4. Accordingly, IT IS ORDERED, That, as requested, the petitions for rule making filed by Team Broadcasting Company, Inc. and Charles Crawford (RM-11004), ARE DISMISSED.

5. IT IS FURTHER ORDERED, That, as requested, the counterproposal filed by Logansport Broadcasting (RM-11118), IS DISMISSED.

6. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

7. For further information concerning this proceeding, contact Sharon P. McDonald, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos  
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Audio Division  
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